

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MARCUS HILLIARD,)
)
)
PLAINTIFF,)
) Case No. 2020-cv-01144
v.)
)
NATIONAL BOARD OF MEDICAL)
EXAMINERS and LOYOLA)
UNIVERSITY CHICAGO STRITCH)
SCHOOL OF MEDICINE,)
)
DEFENDANTS.)

MARCUS HILLIARD'S UNOPPOSED REQUEST FOR A DECISION

Plaintiff Marcus Hilliard (“Hilliard”) by and through his undersigned counsel and pursuant to Local Rule 78.5, moves this Court for a decision on Defendant Loyola University of Chicago’s (“Loyola”) Motion to Dismiss Portions of Plaintiff’s Amended Complaint Pursuant to Federal Rule of Civil Procedure 12(B)(6) (Docket Number 33), and Motion to Dismiss Amended Complaint by Defendant National Board of Medical Examiners (“NBME”) (Docket Number 36), filed in this case.

1. Plaintiff filed his complaint on February 17, 2020, and filed his Amended Complaint on June 15, 2020.
2. On September 4, 2020 Loyola filed its Motion to Dismiss.

3. Loyola's Motion to Dismiss was fully briefed when Hilliard filed his response on September 25, 2020 (Docket Number 39) and Loyola filed its reply on October 9, 2020 (Docket Number 41).
4. The NBME's Motion to Dismiss was fully briefed when Hilliard filed his response on September 25, 2020 (Docket Number 38) and the NBME filed its reply on October 9, 2020 (Docket Number 40).
5. No discovery has occurred in this case due to the pending Motions to Dismiss.
6. Hilliard respectfully requests that the Court Rule on the pending motions or grant Hilliard a hearing to address the issues raised in Loyola's and the NBME's motions.
7. Counsel for Hilliard reached out to counsels for defendants and both stated they take no position relating to this motion.

WHEREFORE, Marcus Hilliard requests this Honorable Court rule on the pending Motions to Dismiss (Docket Numbers 33 and 36) or in the alternative set a hearing date for said motions and subsequently rule on the motions.

Respectfully Submitted,

/s/ Cynthia M Rote
Cynthia M Rote

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